

**PRE-REVIEW MEETING
6:00 P.M.
LAW CONFERENCE ROOM**

- REVIEW MEETING**
6:30 P.M.
AUDITORIUM

- Mary Leigh, Secretary, DCD Programs Manager, P&D
Jeff Fillar, Assistant Building Commissioner

Existing structures and mechanicals did not allow for placement of one in the rear yard. Mr. Nagy noted the variance request was for one foot of the required ten feet.

Mr. Fillar said the Division of Housing and Building ("H&B") had visited the property numerous times during the renovation and found no Board of Building Standards sound violation. H&B had no objections.

No one from the public had any comment. There was no further discussion by the Board.

A motion was made by Ms. Matousek, seconded by Mr. O'Leary, to **APPROVE** the application as submitted. All of the members voting yea, the motion passed.

5. Docket 03-04-13 17820 Lakewood Heights Boulevard

Marije Toth, applicant and property owner, requests approval for a variance and forgiveness regarding the installation of a section of the back yard fence that is over six feet (6') high, pursuant to Section 1153.02(c) – Regulations. This property is located in an R1H, Single Family and High Density district. (Page 8)

Marije Toth, applicant, and Jim Gallagher, Great Lakes Fence, were present to explain the request. The fence was erected in 2012 and placed over a large deep rooted tree stump. Mr. Fillar stated the height of the fence was within some of the variances formerly approved on other streets but wanted to reserve comment until after public comment was received.

Lorita Green, 17816 Lakewood Heights Boulevard, said that both her daughter and she were disabled and were concerned about the fence from a safety aspect. She said the fence was erected hastily. Prior to the fence, Mr. Toth had built a three foot high mound of dirt and planted arborvitae; the plantings were not successful. The fence was placed over the mound without removing any dirt. She felt the tree stump was not an issue. Asked by the Board about the height of the fence, she said it was about 11 feet at the highest point. The fence on the other side of her property was also affected by an existing tree; however, it was approved by the City.

Mr. Fillar said the fence height of eleven feet was exaggerated. An inspector measured the fence at six feet, eight to nine inches. Variances such as this have been approved previously. Regarding safety issues, the Fire Department and Police Department do not find fences to be a barrier, they would knock them down. Asked by the Board if there were photographs substantiating the six foot, eight or nine inch height; Mr. Fillar did not have one with a tape showing the measurements.

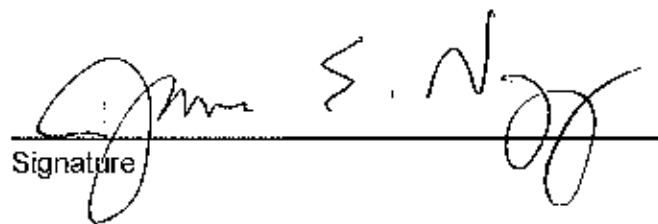
Asked by the Board if Ms. Toth had anyone take measurements, she replied the fence was six feet, eight inches to nine inches at the highest point. Jim Gallagher said the fence had to go up and over the area because of the tree stump and matched fencing on the other side of Ms. Green's yard. Discussion ensued about the mound of dirt; Ms. Green said it remained on her property.

Mr. Fillar requested a deferral so that H&B could obtain accurate measurements of both sides of the fence. Mr. Krewson requested H&B to document how many linear feet of the fence are above the requirement for a variance.

A motion was made by Ms. Bender, seconded by Mr. Krewson, to DEFER until the meeting of April 18, 2013. All of the members voting yea, the motion passed.

6. **ADJOURN**

A motion was made by Mr. Krewson, seconded by Mr. O'Leary, to ADJOURN the meeting at 6:55 p.m. All of the members voting yea, the motion passed.


Signature

4-18-13
Date



Oath

I, the undersigned, hereby agree that the testimony I give at this proceeding will be the truth, the whole truth and nothing but the truth:

PRINT NAME:

SIGN NAME:

1. LORITA GREEN
2. William Collister
3. Marge Toth
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____

- Lorita Green
- William & Collister (SIFE HRS)
- [Signature]
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Prepared by: The City of Lakewood Law Department, 12650 Detroit Ave., Lakewood, Ohio 44107

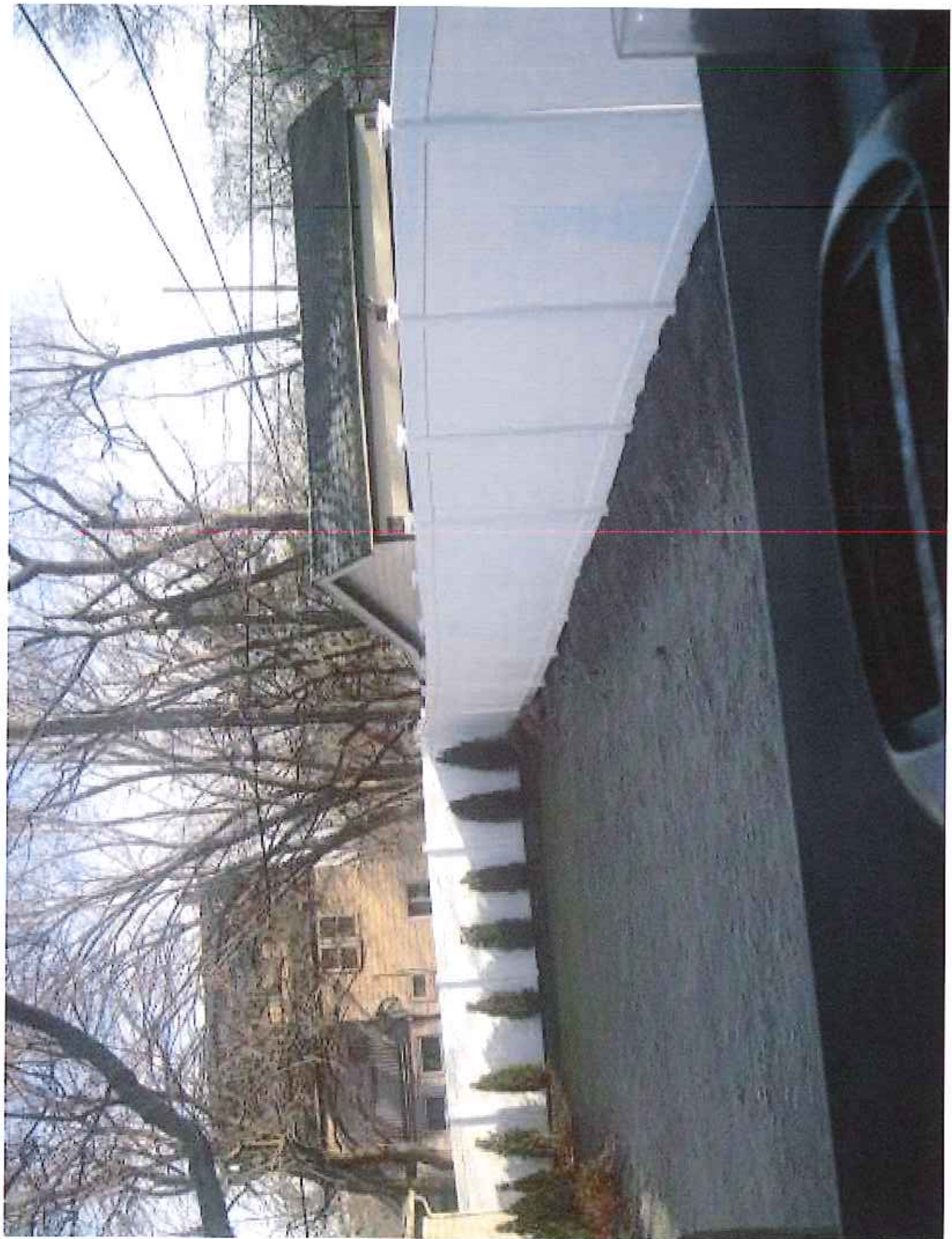
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☐ Income Tax Appeals ☐ Loan Approval ☐ Nuisance Abatement Appeals ☐ Planning ☒ Zoning Appeals ☐ Other:

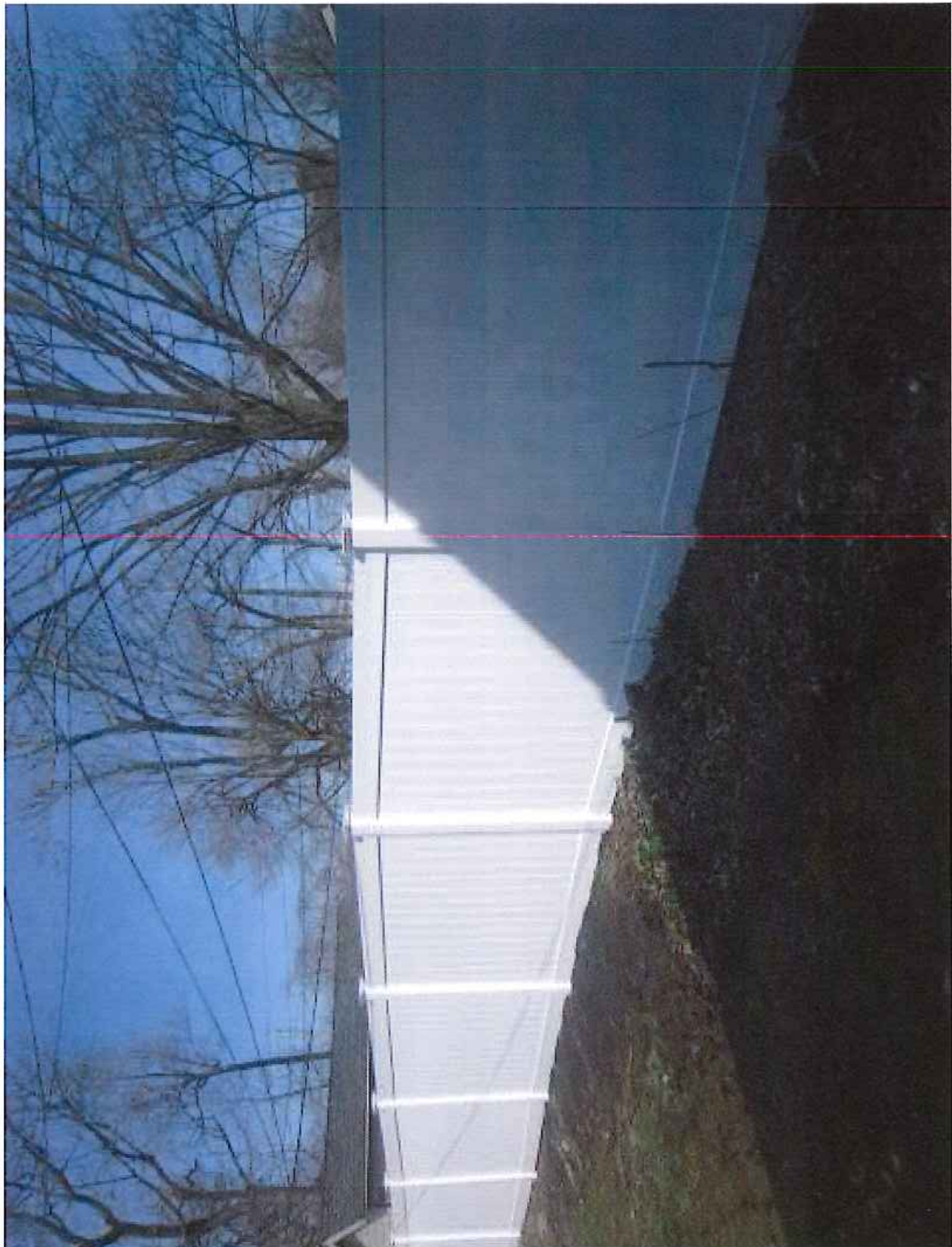
Date of Proceeding: Thursday, March 21, 2013

















Board of Zoning Appeals

March 2013





BZA March 2013

17852 Lake Road

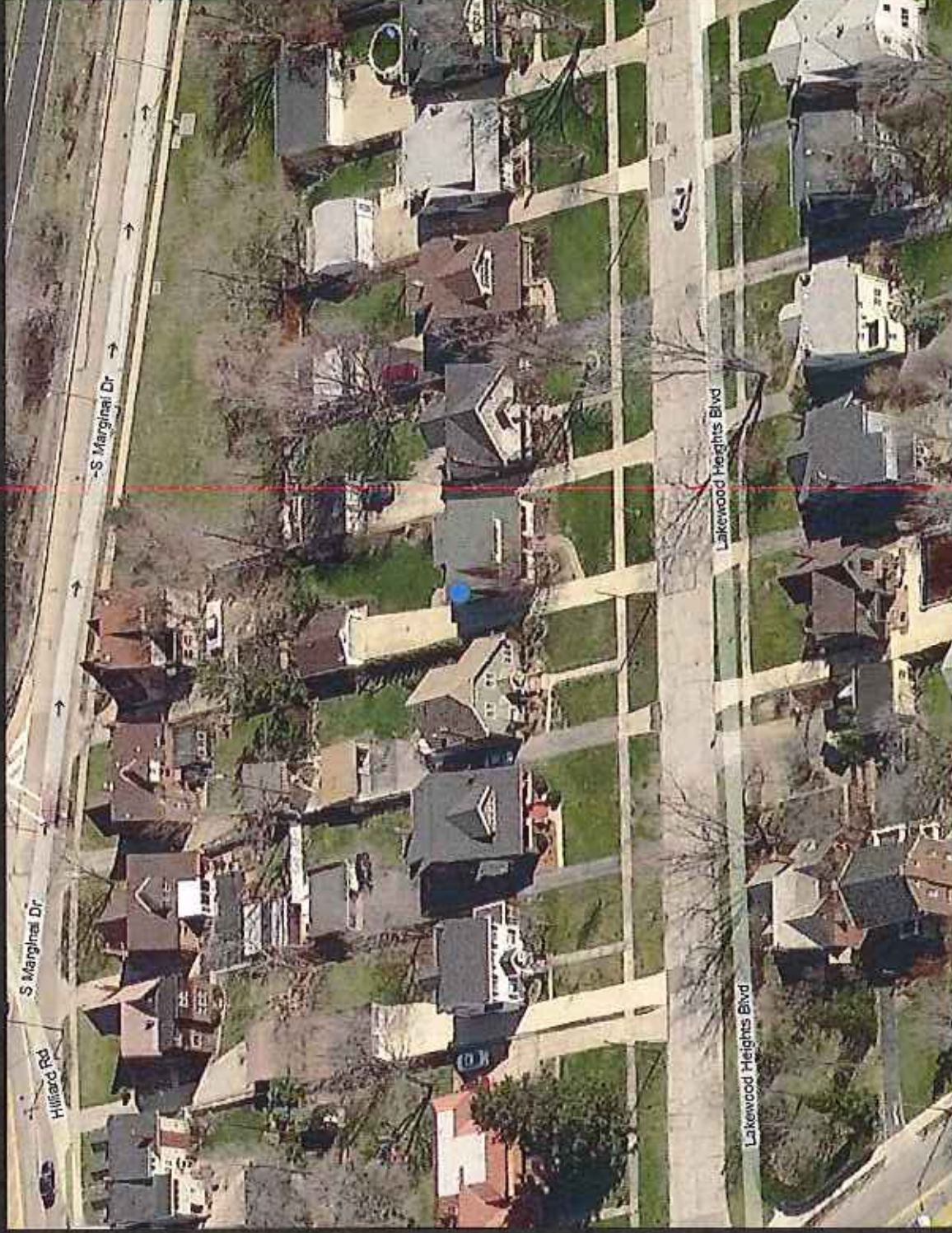
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17852 Lake Road



17852 Lake Road

BZA March 2013



17820 Lakewood Heights Boulevard

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17820 Lakewood Heights Boulevard



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